

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:06cr275-WKW
)	
JACOB WARNER)	

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW Defendant Jacob Warner, by and through counsel, and respectfully moves for a continuance of the trial of this matter, presently scheduled for April 23, 2007.

In support of this motion, counsel will show:

1. On March 30, 2007, the Defendant's attorney, William R. Blanchard, filed a motion to withdraw as attorney of record because of a conflict of interest. (Doc #22).
2. On April 3, 2007, the undersigned counsel was contacted by the Federal Defenders organization to represent Defendant Warner in the above styled case. Counsel is available to accept the case and was appointed by the Court to represent Mr. Warner in all further proceedings. (Doc # 28). Counsel contacted Mr. Blanchard and, as of April 5, 2007, is in receipt of the discovery that was provided to previous counsel.
3. Although the case does not appear to present issues that are unusual or complex, and discovery is not excessive, Counsel does not have sufficient time to properly evaluate the issues, develop a trial strategy, and appropriately advise his Client before the scheduled trial date.

4. This motion is brought in good faith and not for any dilatory purpose or improper motive and evidences Defendant's desire to present a defense to the accusations and allegations brought by the government.

5. Counsel for the government has been contacted concerning this motion and has no objections to a continuance. Neither party will be prejudiced by such a delay.

6. This Motion is made in the interest of justice.

WHEREFORE premises considered, undersigned counsel respectfully requests that the jury trial set for April 23, 2007, be continued and for such other and further relief as the court finds just and equitable.

s/John M. Poti
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CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Christopher A. Snyder, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: none.

s/John M. Poti
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